

Message Text

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ORIGIN L-02

INFO OCT-01 IO-10 ISO-00 EB-07 AID-05 CIAE-00 INR-07

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

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E.O. 11652: N/A

TAGS: ECOSOC

SUBJECT: 58TH ECOSOC: AGENDA ITEM 4 (RULES OF PROCEDURE)

REFS: A. USUN 1124; B. USUN 1149; C. STATE 082799

PLEASE DELIVER TO SANDERS

1. DEPT CONSIDERS IT IS INAPPROPRIATE TO INCLUDE SOVIET "ALL STATES" (OR "ANY STATE") ISSUE IN ECOSOC DRAFT RULE 72, OR ANYWHERE ELSE IN ECOSOC RULES OF PROCEDURE. (WE UNDERSTAND NATIONAL LIBERATION MOVEMENT QUESTION IS QUIESCENT AT LEAST FOR MOMENT.)

2. DRAFT RULE 72 (PARTICIPATION OF NON-MEMBER STATES) IS ACCEPTABLE IN FORM PRESENTED BY AD HOC WORKING GROUP IN E/5634 PROVIDED QUESTIONS RAISED IN FOOTNOTES RE NATIONAL LIBERATION MOVEMENTS AND "ALL STATES" ARE NOT REPEAT NOT INCORPORATED. IN OTHER WORDS, RULE 72 SHOULD CONTINUE TO BE MERELY AN IN-HOUSE MECHANISM DEALING ONLY WITH PARTICIPATION OF MEMBERS OF UN WHO ARE NOT MEMBERS OF ECOSOC, BUT WHO MAY BE INVITED TO PARTICIPATE WITHOUT VOTE IN ECOSOC DELIBERATIONS OF PARTICULAR CONCERN TO THEM AND MAY SUB-

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MIT PROPOSALS TO BE VOTED.

3. HOWEVER, INCLUSION OF "ALL STATES" LANGUAGE IN DRAFT RULE 72 WOULD CHANGE CHARACTER OF THAT RULE AND POLITICIZE IT BY POTENTIALLY PLACING ECOSOC IN POSITION OF INFRINGING

UNGA ROLE IN UN CONCERNING POLITICAL QUESTIONS OF LEGITIMACY OF A PARTICULAR STATE. THIS COULD LEAD, E.G., TO ECOSOC CONSIDERING AN ENTITY A STATE WHICH GA HAD DECIDED WAS NOT A STATE OR ON WHICH QUESTION GA HAD DEFERRED ACTION. THIS WOULD NOT BE PROPER ECOSOC ROLE. USUN MAY WISH MAKE THESE POINTS WITH OTHER DELS.

4. LANGUAGE ADVANCED REFTEL B BY CHAIRMAN NEW INFORMAL WORKING GROUP (WG) DOES NOT SATISFY DEPT CONCERNS. AS STATED ABOVE, USUN SHOULD OPPOSE THIS CHANGE IN DRAFT RULE 72. HOWEVER DEPT UNDERSTANDS MISSION MAY NOT BE ABLE DEFEAT "ALL STATES" INITIATIVE. IF IT IS CLEAR THAT ECOSOC MOVING TO ADOPT WG CHAIRMAN'S TEXT, YOU MAY CONCUR IN SUCH ADOPTION IF FOLLOWING CHANGES INCORPORATED INTO FOOTNOTE: (A) REPLACE "IN THE LIGHT OF" WITH "IN ACCORDANCE WITH" THE PRACTICE OF THE GA; AND, (B) EITHER DELETE "WHENEVER ADVISABLE", OR REPLACE WITH "WHENEVER REQUESTED BY A MEMBER" WITH RESPECT TO REQUESTS FOR OPINION OF GA. THESE CHANGES ARE GEARED TO ENSURE ECOSOC WOULD NOT MAKE DECISION AT VARIANCE WITH GA PRACTICE.

5. YOU SHOULD OPPOSE ANY "ALL STATES" FORMULATION WHICH HAS NO REPEAT NO FOOTNOTE. KISSINGER

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